

7-8-04

IFW

Atty. Dkt. No. 048679-0157

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel J. Lipscomb et al.

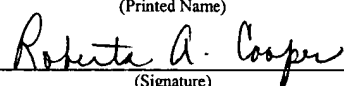
Title: SPIGOT

Appl. No.: 10/812,202

Filing Date: 03/29/2004

Examiner: To be determined

Art Unit: 3754

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 431583885 US	07/07/04
(Express Mail Label Number)	(Date of Deposit)
Roberta A. Cooper	
(Printed Name)	
	
(Signature)	

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without*

Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit
Account No. 06-1447.

Respectfully submitted,

Date 7/7/04

By Scott M. Day

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5872
Facsimile: (414) 297-4900

Scott M. Day
Attorney for Applicant
Registration No. 52,801

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

(Substitute for form 1449B/PTO) INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: July 7, 2004 (Use as many sheets as necessary)				Complete if Known	
JUL 07 2004 RECEIVED & FILED IN U.S. PAT. & TRADEMARK OFFICE				Application Number	10/812,202
				Filing Date	03/29/2004
				First Named Inventor	Daniel J. Lipscomb
				Group Art Unit	3754
				Examiner Name	To be determined
				Attorney Docket Number	048679-0157
Sheet	1	of	2		

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,979,840		Hollister et al.	11/09/1999	
	A2	5,351,932		von Herrmann	10/04/1994	
	A3	5,273,253		Rogers	12/28/1993	
	A4	5,232,193		Skakoon	08/03/1993	
	A5	5,190,071		Sule	03/02/1993	
	A6	5,152,497		Bissell	10/06/1992	
	A7	5,107,883		Shaw	04/28/1992	
	A8	5,026,019		Biekart et al.	06/25/1991	
	A9	4,786,028		Hammond	11/22/1988	
	A10	4,589,626		Kurtz et al.	05/20/1986	
	A11	4,576,593		Mommer	03/18/1986	
	A12	4,575,041		Hu	03/11/1986	
	A13	4,569,502		Elliott	02/11/1986	
	A14	4,524,944		Sussman	06/25/1985	
	A15	4,323,219		Carlin	04/06/1982	
	A16	4,230,151		Jonsson	10/28/1980	
	A17	4,177,969		Sieber-Müller	12/11/1979	
	A18	4,111,391		Pilolla	09/05/1978	
	A19	4,077,601		Dick	03/07/1978	
	A20	4,053,135		Saliaris	10/11/1977	
	A21	3,984,081		Hoganson	10/05/1976	
	A22	3,939,533		Benepe	02/24/1976	
	A23	3,813,077		Kolic	05/28/1974	
	A24	3,770,023		Rink	11/06/1973	
	A25	3,693,932		Blohm	09/26/1972	
	A26	3,626,497		Lambert	12/07/1971	
	A27	3,460,797		Allenbaugh, Jr.	08/12/1969	
	A28	2,796,228		Kelly	06/18/1957	
	A29	2,212,733		Grigsby	08/27/1940	
	A30	1,897,743		Warner	02/14/1933	
	A31	662,955		McClelland	12/04/1900	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Date Submitted: July 7, 2004

(use as many sheets as necessary)

2

of

2

Complete if Known

Application Number	10/812,202
Filing Date	03/29/2004
First Named Inventor	Daniel J. Lipscomb
Group Art Unit	3754
Examiner Name	To be determined
Attorney Docket Number	048679-0157

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.